

IN RE: PETITION FOR SPECIAL HEARING *	BEFORE THE
N/S Hutschenreuter Lane, 330'	
+/- E of c/l Hutchenreuter Rd *	ZONING COMMISSIONER
11th Election District	
5th Councilmanic District *	OF BALTIMORE COUNTY
Castlewood Realty Co., Inc.	
Petitioner *	CASE No. 95-258-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located on the east side of Hutschenreuter Road, 1750 ft. (+/-) east of Harford Road near the Gunpowder Falls State Park in northeast Baltimore County. The Petition is filed by Castlewood Realty Company, Inc., property owner. Special Hearing relief is requested to approve a non-density transfer of an 11.87 acre parcel. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was Walter L. McManus, a principal of Castlewood Realty Co., Inc. property owner/Petitioner. Also present was Bruce Doak, the licensed property line surveyor who prepared the site plan. The Petitioner was represented by Deborah Dopkin, Esquire. Numerous residents from the surrounding locale appeared in support.

The uncontradicted testimony and evidence presented was that the subject parcel of 11.87 acres is part of a larger tract which is approximately 19.66 acres in area. The entire site is zoned R.C.2. The large tract is unimproved but for one story block barn and one story shed located near the center of the parcel. The tract is used primarily for agricultural purposes. Additional testimony and evidence offered was that the Petitioner acquired the property in 1970. The property has not been materially changed or altered since that time, other than a minor property line adjustment

ORDER RECOMMENDED FOR FILING

Date

By

MACROFILM

which clarifies the location of the property line separating the subject property and property to the north owned by Leonard and Mildred Hutchenreuter.

As to the Petitioner's plans, it is anticipated that the subject property will be subdivided so as to create two building lots. Lot No. 1 is shown on the west side of the property and will be 2.415 acres in area. A proposed dwelling will be located thereon as is shown on the site plan. Lot No. 2 is on the east side and will be 4.467 acres in size. Again, a proposed single family dwelling is shown on the site plan. The area between these two lots will be left vacant. That area is shown on the plan as parcel A and is 11.87 acres in area. It is within that portion of the overall tract where the barn and shed are located. The Petitioner acknowledged that following the subdivision, Parcel A will have no density attributable to it. That is, the R.C.2 zoning classification allows two dwelling units to be established on any lot between two and fifty acres in size. The creation of lots 1 and 2, as described hereinbefore, exhausts all density attributable to the overall tract. The Petitioner, however, explained that it wished to keep the residential lots smaller and preserve parcel A to be utilized for agricultural purposes. This is clearly consistent with the spirit and intent of the R.C.2 zoning classification and goals of the Baltimore County Zoning Regulations (BCZR) in this respect. It is clear, therefore, that the subdivision of the subject tract so as to create two building lots and parcel A is appropriate.

It is also to be noted that the Petitioner owns an adjoining property as shown on the site plan and located immediately to the northwest of the subject tract. This adjacent tract is 1.93 acres in area and was acquired by the Petitioner in 1970. As is the case with the larger 19 acre parcel, the property is zoned R.C.2 and thus governed by Article 1A of the BCZR

ORDER RECEIVED FOR FILING

Date

By

3/3/95
M. G. G. G.

which regulates R.C. zoned lands. The R.C. zoning designation was established in Baltimore County by act of the County Council effective on November 23, 1979. Lots of record which were in being at that time may be subdivided and utilized in accordance with the regulations as applied to their acreage at that time.

It is to be noted that from the larger 19.66 acre tract, the Petitioner also proposes transferring a small parcel (known as Parcel B) of .990 acres. This tract will be transferred to and consolidated with the 1.93 acre parcel. It is significant to note that the .990 acres to be transferred will not carry with it any density. It cannot be utilized now or in the future to support additional density on the 1.93 acre tract. It is clear that only two dwelling units may be established on the overall tract of 19.66 acres and, in fact, full utilization of those two dwelling units is accomplished by the creation of lots No. 1 and 2. Thus, neither parcel A nor parcel B may be utilized now, or at any time in the future, to support additional density on those parcels, themselves, or on any parcels with which they are consolidated.

Lastly, the Petitioner observed at the public hearing that vehicular access to lot No. 2 will be by a panhandle drive known as Hutchenreuter Road/Lane. This road extends from its intersection with Harford Road towards the site. It is utilized by right by the various property owners who are adjacent thereto.

Panhandle driveways are limited by Section 26-266 of the Baltimore County Code to a length of 1,000 ft. in an R.C. zone. However, the County Review Group may waive that limit if a longer length is justified. The County Review Group was the predecessor reviewing agency to the present development process. Under the present regulations, the Zoning Commissioner, sitting as a Hearing Officer, has assumed many of the responsibilities

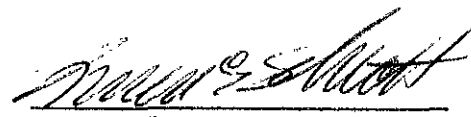
of the CRG group. In my view, I, therefore, have the authority to waive the 1,000 ft. length limitation and will do so in this case. It is to be noted that Hutchenreuter Road/Lane may, in fact, not be a panhandle driveway as defined by the Code. The proffered testimony from the adjacent residents is that the road is maintained by Baltimore County and not a private road. Thus, the relief requested may not even be necessary. However assuming arguendo, that the lane is considered a panhandle road, a waiver of a 1,000 ft. limitation is appropriate and is hereby granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 3rd day of March, 1995 that, pursuant to the Petition for Special Hearing, approval for a non-density transfer of 11.87 acres (+/-), as fully described and limited herein, be and is hereby GRANTED, subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Prior to the issuance of any permits, the Petitioner shall record a copy of this Order in the Land Records of Baltimore County. A copy of the recorded Order shall be submitted to the Zoning Commissioner's office for inclusion in the case file.


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 2, 1995

Deborah C. Dopkin, Esquire
Rosolio, Silverman and Kotz, P.A.
502 Washington Avenue
Towson, Maryland 21204

RE: Case No. 95-258-SPH
Petition for Special Hearing
Castlewood Realty Co., Inc.

Dear Mrs. Dopkin:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

encl.

cc: Mr. Walter L. McManus

MICROFILMED





Petition for Special Hearing

95-258-SPH

to the Zoning Commissioner of Baltimore County

for the property located at East side Hutschenreuter road
1750' +/- east of Harford Road

which is presently zoned RC 2

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A "Non-Density Transfer" of 11.87 acre, more or less

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

DEBORAH C. DOPKIN

(Type or Print Name)

Signature

502 WASHINGTON AVE 3397100

Address

Phone No

TOWSON MD

City

State

Zipcode

Legal Owner(s):

Castlewood Realty Co. Inc.

(Type or Print Name)

Signature

Walter L. McManus

(Type or Print Name)

Signature

204 E JOPPA ROAD

Address

825-7737

Phone No

TOWSON

City

MD

State

21286 825-7737

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: Jim DATE: 1/25/95

261

95-258-SPH

GORDON T. LANGDON
DENNIS M. MILLER
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

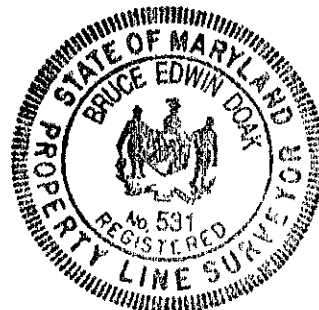
January 24, 1995

ZONING DESCRIPTION

Beginning for the same at the intersection of the centerlines of Hutschenreuter Road and Hutschenreuter Road-East (also known as Hutschenreuter Lane-East) thence binding in or near the center of Hutschenreuter Road, North 11 degrees 13 minutes 08 seconds East 60.60 feet and North 18 degrees 29 minutes 38 seconds East 377.26 feet, thence leaving said road South 59 degrees 48 minutes 46 seconds East 405.31 feet, North 27 degrees 57 minutes 48 seconds East 168.48 feet, South 86 degrees 29 minutes 24 seconds East 1334.32 feet and South 27 degrees 55 minutes 35 seconds West 741.79 feet to the center of Hutschenreuter Road-East, thence binding in or near the center of said last mentioned road, North 62 degrees 41 minutes 06 seconds West 172.07 feet, North 57 degrees 20 minutes 56 seconds West 130.72 feet, North 60 degrees 16 minutes 17 seconds West 138.70 feet, by a curve to the left having a radius of 149.85 feet for an arc length of 116.28 feet (the chord of said arc bearing North 82 degrees 30 minutes 02 seconds West 113.38 feet), by a curve to the right having a radius of 429.17 feet for an arc distance of 95.57 feet (the chord of said arc bearing South 81 degrees 38 minutes 59 seconds West 95.37 feet), South 88 degrees 01 minutes 44 seconds West 275.38 feet, South 87 degrees 09 minutes 02 seconds West 119.99 feet, by a curve to the right having a radius of 425.29 feet for an arc distance of 172.35 feet (the chord of said arc bearing North 81 degrees 14 minutes 25 seconds West 171.17 feet) and North 69 degrees 37 minutes 51 seconds West 416.85 feet to the point of beginning.

Containing 19.742 acres of land, more or less.

259



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-258-SPT

District 110th

Date of Posting 2/10/95

Posted for: Special Hearing

Petitioner: Cos. Howard Realty Co., Inc.

Location of property: N/S Hutcheon road for bond

Location of Signs: Facing road way, on property being zoned

Remarks:

Posted by M. H. H. H.
Signature

Date of return: 2/10/95

Number of Signs: 1

RECEIVED

CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-258-SPH
(Item 259)
N/S Hutschenreuter Lane
330' +/- E of c/
Hutschenreuter Road
11th Election District
5th Councilmanic
Legal Owner(s):
Castewood Realty Co
Inc.
Hearing: Friday,
February 24, 1995 at
11:00 a.m. in Rm. 106
County Office Building.

Special Hearing to approve
a "Non-Density Transfer" of
11.87 acres, more or less.

LAWRENCE E. SCHMID
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handi-
capped Accessible; for special ac-
commodations Please Call
887-3353.

(2) For information concern-
ing the File and/or Hearing, Please
Call 887-3391.

2/132 February 9,

TOWSON, MD., 2/10, 1995

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 2/9, 1995.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

Publication



Baltimore County
 Zoning Administration &
 Development Management
 111 West Chesapeake Avenue
 Towson, Maryland 21204

receipt

95-258-SPH

Account: R-001-6150

Number

JCM

Date

1 25 95

Cashiered Rent/ty, Inc.
 5 DEC - DEC (030)

Postage (080)

2.00
 11/25/95 DEC 10.
 1750 1/2 of 10/25/95
 50.00

35.00

85.00

RECEIVED
 BALTIMORE COUNTY
 12/25/95

03A03H0030N1HRC

\$85.00

BA CODE: 46PM11-23-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 259

Petitioner: CASTLEWOOD REALTY Co., Inc.

Location: 204 E. Joppa Rd. Towson, Md. 21206

PLEASE FORWARD ADVERTISING BILL TO:

NAME: B. DEBORAH Dopkin, Esq.

ADDRESS: 502 Washington Ave.
Towson, Md 21204

PHONE NUMBER: 338-7100

TO: PUTUXENT PUBLISHING COMPANY
February 9, 1995 Issue - Jeffersonian

Please forward billing to:

Deborah C. Dopkin, Esq.
502 Washington Avenue
Towson, MD 21204
339-7100

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-258-SPH (Item 259)
N/S Hutschenreuter Lane, 330'+/- E of c/l Hutchenreuter Road
11th Election District - 5th Councilmanic
Legal Owner(s): Castlewood Realty Co., Inc.
HEARING: FRIDAY, FEBRUARY 24, 1995 at 11:00 a.m. in Room 106, County Office Building.

Special Hearing to approve a "Non-Density Transfer" of 11.87 acres, more or less.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

FEBRUARY 2, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-258-SPH (Item 259)

N/S Hutschenreuter Lane, 330' +/- E of c/l Hutchenreuter Road

11th Election District - 5th Councilmanic

Legal Owner(s): Castlewood Realty Co., Inc.

HEARING: FRIDAY, FEBRUARY 24, 1995 at 11:00 a.m. in Room 106, County Office Building.

Special Hearing to approve a "Non-Density Transfer" of 11.87 acres, more or less.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Castlewood Realty Co, Inc.
Deborah C. Dopkin, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

February 17, 1995

Deborah C. Dopkin, Esquire
502 Washington Avenue
Towson, Maryland 21204

RE: Item No.: 259
Case No.: 95-258-SPH
Petitioner: Walter L. McManus

Dear Ms. Dopkin:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on January 25, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Feb. 13, 1995
Zoning Administration and Development Management

FROM: *Feb* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for February 13, 1995
Item No. 259

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the Department of Public Works Standard Plate B-46, Panhandle Driveways - Rural Zoning.

RWB:sw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: February 2, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 245, 246, 256, 258, 259, and 260

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Pat Keller

PK/JL:lw



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

2-7-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: \$ 259 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

MICROFILMED

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 02/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF FEB. 6, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 246, 252, 253, 254, 255,
256, 257, 258, 259, 260, 261 AND 263.

RECEIVED

FEB 8 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



MICROFILMED

95-258^{SPH}

JW

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

February 23, 1995

FROM: J. Lawrence Pilson *JLP/lms*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #259 - Castlewood Realty
East Side of Hutschenreuter Road
Zoning Advisory Committee Meeting of February 6, 1995

Agricultural Preservation Program

Okay, purpose is to connect non-density portion which is currently a fenced pasture with agricultural support buildings to a homesite.

Ground Water Management

Revised site plans must be submitted and a well must be drilled which meets the minimum yield of one gallon per minute prior to approval of a building permit.

Heaving
2/24

JLP:sp

CASTLEW/DEPRM/TXTSBP

RECEIVED
FEB 24 1995
ZADM

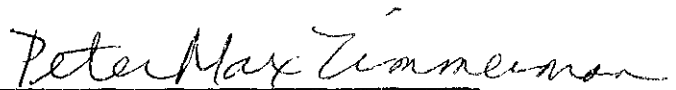
RECEIVED


MS

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
N/S Hutschenreuter Lane, 330'+/- E of c/l		
Hutchenreuter Road, 11th Election Dist.,	*	ZONING COMMISSIONER
5th Councilmanic		
	*	OF BALTIMORE COUNTY
Castlewood Realty Co., Inc.		
Petitioners	*	CASE NO. 95-258-SPH
* * * * *		

ENTRY OF APPEARANCE

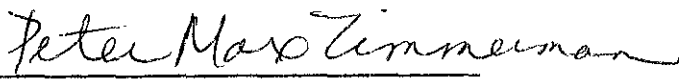
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of February, 1995, a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esquire, 502 Washington Avenue, Towson, MD 21204, attorney for Petitioner.


PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Mary Springer
Mildred J. Hill

6112 Hutschenreuter Ln
6204 1

W. McManus

204 E Janna

Leonard H. Hutschenreuter Sr.

6200 Hutschenreuter La.

Leonard H. Hutschenreuter Jr.

16138 Hutschenreuter La.

Kathryn Earnshaw Barnhart

6207 Hutschenreuter Rd

Patricia A. Thors

4300 Gilmer Ct. Belcamp 21017

OT6 and cancel 1.93 A (17.91 Ac) P. 485 2/21

T-2
THE TITLE GUARANTEE COMPANY
(Individual Form)

LIBER 5079 PAGE 636

App. II- 69638

This Deed, Made this 20th day of March, in the year one thousand nine hundred and seventy, by and between
✓ FRED A. HUTSCHENREUTER and ✓ EMMA E. HUTSCHENREUTER, his wife, parties of the first part,
Grantors; and ✓ CASTLEWOOD REALTY COMPANY, INC., a body corporate of the State of Maryland,
party of the second part, Grantee.



Witnesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto the said Grantee, its successors and assigns, in fee simple, all those -----

TAX \$16500
STATE PROPERTY TRANSFER
172670



-----two----- lot(s) of ground
situate in the Eleventh Election District of Baltimore County,
in the State of Maryland, and described as follows, that is to say:

BEGINNING FOR THE first at an iron bar heretofore set at a common corner between the land of the herein named grantors and the land of Herman J. Hutschenreuter, said iron bar being at the end of the 2nd or South 30°- 00' West 1,594.8 foot line of the whole tract of land which by a deed dated 18 July 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1477 folio 271, was conveyed by Loretta McNicholas, widow, to Fred A. Hutschenreuter and Emma E. Hutschenreuter, his wife, running thence leaving the land of said Herman J. Hutschenreuter and binding on the 3rd and part of the 4th lines respectively of the aforesaid deed; and binding on part of the northerly outlines of the land now or formerly of John Schneider; and binding on part of the northerly outline of the land of the State of Maryland, Department of Forests and Parks, the 3 following courses and distances, as now surveyed, viz:

- (1) North 55°- 23'- 48" West 442.21 feet to a point in or near the center of Hutschenreuter Road, and continuing this same direction,
- (2) North 55°- 23'- 48" West 344.45 feet to an iron pipe heretofore set, and
- (3) North 58°- 44'- 40" West 547.01 feet to an iron pipe heretofore set at the end of the 7th or South 40°- 54'- 43" West 171.26 foot line of that parcel of land which by a deed dated 9 February 1968 and recorded among the aforesaid Land Records in Liber O.T.G. 4848 folio 261 was conveyed by Fred A. Hutschenreuter and Emma E. Hutschenreuter, his wife, to Glenn A. Doering and Amy G. Doering, his wife, thence leaving the land of said State of Maryland, Department of Forests and Parks, and binding reversely on the

7th and 6th lines respectively of said deed recorded in Liber O.T.G. 4848 folio 261, the 2 following courses and distances, as now surveyed, viz:

(4) North $40^{\circ}-54'-43''$ East 171.26 feet to an iron pipe heretofore set on the southwesterly side of the aforesaid Hutschenreuter Road, and continuing this same direction,

(5) North $40^{\circ}-54'-43''$ East 30.00 feet to a point in or near the center of said road, thence running with and binding on or near the center of said Hutschenreuter Road, and binding reversely on the 5th, 4th, 3rd, 2nd and part of the 1st lines respectively of the aforesaid deed recorded in Liber O.T.G. 4848 folio 261, the 5 following courses and distances, as now surveyed, viz:

(6) North $44^{\circ}-35'-38''$ West 135.00 feet,

(7) North $42^{\circ}-28'-16''$ West 74.97 feet,

(8) North $27^{\circ}-01'-31''$ West 39.21 feet,

(9) North $03^{\circ}-16'-57''$ West 48.82 feet, and

(10) North $11^{\circ}-08'-08''$ East 9.36 feet to an iron spike now set at the point of intersection of the center of said Hutschenreuter Road with the center of a 16.5 foot wide right of way which leads from said Hutschenreuter Road through and across the land of the herein named grantors, to the aforesaid land of Herman J. Hutschenreuter, thence crossing said Hutschenreuter Road and running with and binding on or near the center of said 16.5 foot wide right of way, the 9 following courses and distances, as now surveyed, viz:

(11) South $69^{\circ}-41'-06''$ East 416.95 feet to an iron spike now set at a point of curve,

(12) Southeasterly by a line curving to the left having a radius of 423.56 feet for an arc distance of 172.31 feet, said curve being subtended by a chord bearing South $81^{\circ}-20'-21''$ East 171.12 feet to an iron spike now set at a point of tangent,

(13) North 87°- 00'- 24" East 120.15 feet,

(14) North 88°- 00'- 19" East 275.75 feet to an iron spike now set at a point of curve,

(15) Northeasterly by a line curving to the left having a radius of 430.00 feet for an arc distance of 95.74 feet, said curve being subtended by a chord bearing North 81°- 37'- 38" East 95.54 feet to an iron spike now set at a point of reverse curve,

(16) Southeasterly by a line curving to the right having a radius of 150.00 feet for an arc distance of 116.25 feet, said curve being subtended by a chord bearing South 82°- 33'- 53" East 113.36 feet to an iron spike now set at a point of tangent,

(17) South 60°- 20'- 44" East 138.48 feet,

(18) South 57°- 24'- 20" East 130.73 feet, and

(19) South 62°- 44'- 30" East 172.08 feet to a point in or near the center of said 16.5 foot wide right of way to intersect the aforesaid 2nd or South 30° West 1,594.8 foot line of the deed recorded in Liber R.J.S. 1477 folio 271, thence crossing said right of way and binding on the remainder of said 2nd line and binding on part of the westerly out-line of the aforesaid land of Herman J. Hutschenreuter, the 2 following courses and distances, as now surveyed, viz:

(20) South 27°- 52'- 22" West 5.28 feet to a steel pin heretofore set, and continuing this same direction,

(21) South 27°- 52'- 22" West 847.57 feet to the beginning hereof. Containing 19.91 Acres of land more or less as surveyed by Harford Survey Associates in February 1970.

SUBJECT, HOWEVER, to so much of the herein above described land which lies within the right-of-way limits of Hutschenreuter Road.

SUBJECT, ALSO, HOWEVER, to so much of the herein above described land which lies within the right-of-way limits of the aforesaid 16.5 foot wide right-of-way.

BEING a part of that tract of land which by Deed, dated July 18, 1946 and recorded among the Land Records of Baltimore County in Liber RJS No. 1477, folio 271 was conveyed by Loretta McNicholas, Widow to the within named Grantors.

SEE ALSO, Release of Easements, dated July 18, 1967 and recorded as aforesaid in Liber OTG No. 4799, folio 742 from The United States of America to the within named Grantors.

Ex 0.01
1024-1035
19314 Act

BEGINNING FOR THESE at an iron pipe now set in the common boundary line between the land of Fred A. Hutschenreuter and wife and the land of Standard Industries, Inc., said pipe being the point of beginning of that parcel of land which by a deed dated 21 July 1953 and recorded among the Land Records of Baltimore County in Liber G.L.B. 2328 folio 329, was conveyed by Standard Industries, Inc. to Fred A. Hutschenreuter and Emma E. Hutschenreuter, his wife, running thence leaving the land of said Standard Industries, Inc. and binding on the 1st and 2nd lines respectively of said deed, the 2 following courses and distances, as now surveyed, viz:

(1) South $27^{\circ}-57'-04''$ West 162.26 feet to an iron pipe heretofore set, and

(2) North $60^{\circ}-15'-37''$ West 336.10 feet to an iron pipe now set, thence running for a new line of division through and across the land of said Fred A. Hutschenreuter and wife,

(3) North $57^{\circ}-40'-37''$ West 69.69 feet to an iron spike now set in or near the center of said Hutschenreuter Road, said spike being at the end of the 3rd or South $09^{\circ}-36'-49''$ West 81.48 foot line of that parcel of land which by a deed dated 22 November 1967 and recorded among the aforesaid Land Records in Liber O.T.G. 4827 folio 17, was conveyed by Fred A. Hutschenreuter and Emma E. Hutschenreuter, his wife, to Edward J. Betz, Jr. and Thelma L. Betz, his wife, thence binding on or near the center of said Hutschenreuter Road and binding reversely on the said 3rd line of the deed recorded

in Liber O.T.G. 4827 folio 17, as now surveyed,

(4) North $09^{\circ}-36'-49''$ East 81.48 feet to a point in or near the center of said road at a common corner between the land of said Betz and the land of William Airey, Sr. and wife, thence still running with and binding on or near the center of said Hutschenreuter Road, and binding on the easterly outlines of the aforesaid land of William Airey, Sr. and wife, the 2 following courses and distances, as now surveyed, viz:

(5) North $09^{\circ}-36'-30''$ East 107.00 feet, and

(6) North $04^{\circ}-45'-50''$ West 232.00 feet to a point to intersect the 7th or South 53° East 14 perches line of the whole tract of land which by a deed dated 18 July 1946 and recorded among the aforesaid Land Records in Liber R.J.S. 1477 folio 271 was conveyed by Loretta McNicholas, widow, to Fred A. Hutschenreuter and Emma E. Hutschenreuter his wife, thence binding on the remainder of said 7th line and binding on all of the 8th and 9th lines respectively of the said deed recorded in Liber R.J.S. 1477 folio 271, and binding on part of the southwesterly outlines of the land of Standard Industries, Inc., and running with an old private road, the 3 following courses and distances, as now surveyed, viz:

(7) South $27^{\circ}-52'-50''$ East 95.08 feet to an iron pipe now set,

(8) South $12^{\circ}-43'-28''$ East 92.11 feet to an iron pipe now set, and

(9) South $40^{\circ}-22'-24''$ East 208.33 feet to an iron pipe heretofore set at the end of the said 9th line, said pipe being also at the end of the 4th or North $51^{\circ}-20'$ East 25 foot line of the aforesaid deed recorded in Liber G.L.B. 2328 folio 329, thence binding on the 5th and 6th lines respectively of the aforesaid deed recorded in Liber G.L.B. 2328 folio 329, still binding on part of the southwesterly outlines of the lands of Standard Industries, Inc., the 2 following courses and distances, as now surveyed, viz:

(10) South $40^{\circ}-22'-24''$ East 187.05 feet to a fence corner post, and

(11) South $88^{\circ}-25'-16''$ East 93.74 feet to the beginning hereof. Containing

1.93 Acres of land more or less as surveyed by Harford Survey Associates in February 1970.

SUBJECT, HOWEVER, to so much of the herein above described land which lies within the right-of-way limits of Hutschenreuter Road.

BEING composed of the two following tracts or parcels of land:

(1) the same and all the land which by Deed dated July 21, 1953 and recorded among the Land Records of Baltimore County in Liber GLB No. 2328, folio 329 was conveyed by Standard Industries, Inc. to the within named Grantors.

(2) part of that tract of land which by Deed, dated July 18, 1946 and recorded as aforesaid in Liber RJS No. 1477, folio 271 was conveyed by Loretta McNicholas, Widow to the within named Grantors.

1766A

DEED

ELK 1000- P.309 1023 0.01

T-2
THE TITLE GUARANTEE COMPANY
(Individual Form)
App. II-69638

LIBER 5316 PAGE 956

TRANSFER TAX NOT REQUIRED
11-20-72
Waller R. Richardson
Director of Finance

This Deed, Made this

7th

day of

Per Muriel J. Newman
Receiv. Authorized Signature Sec 127

, in the year one

thousand nine hundred and seventy-two, by and between WALTER L. McMANUS, JR. and MICHAEL J. CAMPBELL, parties of the first part, Grantors; and CASTLEWOOD REALTY COMPANY, INC., a body corporate of the State of Maryland, party of the second part, Grantee.

Net #3

NOV 21-72 296836H ****13.00
NOV 21-72 296836CH ****13.00

Witnesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto the said Grantee, its successors and assigns, in fee simple, all-----

-----t h a t-----

lot(s) of ground

situate in -----the Eleventh Election District of Baltimore County-----
in the State of Maryland, and described as follows, that is to say:

BEGINNING FOR THE SAME at an iron bar heretofore set at a common corner between the land of the herein named grantors and the land of Herman J. Hutschenreuter, said iron bar being at the end of the 1st or East 1344 foot line of the whole tract of land which by a deed dated 18 July 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1477 folio 271, was conveyed by Loretta McNicholas, widow, to Fred A. Hutschenreuter and Emma H. Hutschenreuter, his wife, running thence and binding on part of the 2nd or South 30°-00' West 1,594.8 foot line of the aforesaid deed, and binding on part of the westerly outline of the aforesaid land of said Herman J. Hutschenreuter, as now surveyed,

(1) South 27°-52'-22" West 741.90 feet to a point in or near the center of an existing 16.5 foot wide right of way which leads from the aforesaid land of Herman J. Hutschenreuter to Hutschenreuter Road, thence leaving the land of said Fred A. Hutschenreuter and running with and binding on or near the center of said 16.5 foot wide right of way, and binding reversely on the northerly outlines of that tract of land intended to be conveyed by the herein named grantors to Walter McManus, the 10 following courses and distances, as now surveyed, viz:

- (2) North 62°-44'-30" West 172.08 feet,
- (3) North 57°-24'-20" West 130.73 feet,

CLERK'S NOTATION
Document submitted for record
in a condition not permitting
satisfactory photographic reproduction.

(4) North $60^{\circ}-20'-44''$ West 130.48 feet to an iron spike now set,

(5) Northwestery by a line curving to the left having a radius of 150.00 feet for an arc distance of 25.86 feet, said curve being subtended by a chord bearing North $65^{\circ}-16'-13''$ West 25.83 feet to the point of intersection of the center of said 16.5 foot wide right of way with the center of an existing line which tends from said right of way through and across the land herein described,

(6) Northwestery by a line curving to the left having a radius of 150.00 feet for an arc distance of 90.39 feet, said curve being subtended by a chord bearing North $87^{\circ}-29'-19''$ West 89.03 feet to an iron spike now set,

(7) Southwestery by a line curving to the right having a radius of 430.00 feet for an arc distance of 95.74 feet, said curve being subtended by a chord bearing South $81^{\circ}-37'-38''$ West 95.54 feet to an iron spike now set at a point of tangent,

(8) South $88^{\circ}-00'-19''$ West 275.75 feet,

(9) South $87^{\circ}-00'-24''$ West 120.15 feet to an iron spike now set at a point of curve,

(10) Northwestery by a line curving to the right having a radius of 423.56 feet for an arc distance of 172.31 feet, said curve being subtended by a chord bearing North $81^{\circ}-20'-21''$ West 171.12 feet to an iron spike now set at a point of tangent, and

(11) North $69^{\circ}-41'-06''$ West 416.05 feet to an iron spike now set to intersect the center of said Hutschenreuter Road, thence running with and binding on or near the center of said Hutschenreuter Road, the 2 following courses and distances, as now surveyed, viz:

(12) North $11^{\circ}-08'-08''$ East 60.64 feet to a point in or near the center of said road at the common corner between the lands of Glenn A. Doering and wife, and the land of Edward Day Betz, Jr. and wife, and

(13) North $18^{\circ}-25'-16''$ East 377.90 feet to an iron spike now set, thence leaving the land of said Hetz, crossing said Hutschenreuter Road and running for a new line of division through and across the land of the herein named grantors,

(14) South $57^{\circ}-40'-37''$ East 69.69 feet to an iron pipe now set at the end of the 2nd or North $60^{\circ}-24'$ East 336.1 foot line of that parcel of land which by a deed dated 21 July 1953 and recorded among the aforesaid Land Records in Liber G.L.R. 2328 folio 329 was conveyed by Standard Industries, Inc. to Fred A. Hutschenreuter and Emma B. Hutschenreuter, his wife, thence binding reversely on the 2nd and 1st lines respectively of said deed recorded in Liber G.L.R. 2328 folio 329, the 2 following courses and distances, as now surveyed, viz:

(15) South $60^{\circ}-15'-37''$ East 336.10 feet to an iron pipe heretofore set, and

(16) North $27^{\circ}-57'-04''$ East 162.26 feet to an iron pipe now set at the beginning of the aforesaid 1st or East 1344 foot line of the aforesaid deed recorded in Liber R.J.S. 1477 folio 271, thence binding on said 1st line, the 3 following courses and distances, as now surveyed, viz:

(17) South $86^{\circ}-47'-44''$ East 249.86 feet to an iron pipe heretofore set, and continuing this same direction,

(18) South $86^{\circ}-47'-44''$ East 483.00 feet to a point in or near the center of the aforesaid lane which leads from the aforesaid 16.5 foot right of way through and across the land herein described, and continuing this same direction,

(19) South $86^{\circ}-47'-44''$ East 604.23 feet to the beginning hereof. Containing 19.66 Acres of land more or less as surveyed by Harford Survey Associates in February 1970.

SUBJECT, HOWEVER, to so much of the herein above described land which lies within the right of way limits of Hutschenreuter Road.

Subject, also, however, to so much of the herein above described land which lies within the right of way limits of the aforesaid 16.5 foot wide right-of-way.

BEING the same lot of ground described in a Deed dated March 20, 1970 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5079, folio 648, from Fred A. Hutschenreuter and Emma E. Hutschenreuter, his wife, to Walter L. McManus, Jr. and Michael J. Campbell, as tenants in common.

closure

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0.0142'

14165568 Act

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LIBER 8 2 4 8 PAGE 5 6 7

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Now

DEED AND BOUNDARY LINE AGREEMENT

?
THIS DEED AND BOUNDARY LINE AGREEMENT, made this 25 day of ^{JULY} May in the year Nineteen Hundred Eighty-Nine, by and between LEONARD H. HUTSCHENREUTER and MILDRED L. HUTSCHENREUTER, his wife, of Baltimore County, State of Maryland, parties of the first part, and CASTLEWOOD REALTY COMPANY, INC., a Maryland corporation, party of the second part, OBRECHT FAMILY LIMITED PARTNERSHIP, a Maryland Limited Partnership, party of the third part and FRED A. HUTSCHENREUTER and EMMA E. HUTSCHENREUTER, his wife, parties of the fourth part.

C RC/F 46.00
SH L.F.H.R. 46.00
#27545 0001 R02 108:4
08/15/8

WHEREAS, the parties of the first and second part are the owners in fee simple of adjoining parcels of land located in the Eleventh Election District of Baltimore County and acquired by virtue of the following Deeds: (1) Deed dated March 6, 1986 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 7108, folio 765 from Obrecht Family Limited Partnership to the parties of the first part; (2) Confirmatory Deed dated December 9, 1988 and recorded among the Land Records of Baltimore County in Liber S.M. No. 8059, folio 257 from Obrecht Family Limited Partnership to the parties of the first part; (3) Deed dated March 20, 1970 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5079, folio 636 from Fred A. Hutschenreuter and Emma E. Hutschenreuter, his wife to the party of the second part; (4) Deed dated January 7, 1972 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5316, folio 956 from Walter L. McManus, Jr. and Michael J. Campbell to the party of the second part; and

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE [Signature] DATE 8/14/89

B B 853*****224:a 31488

B B 854*****224:a 31488

by [Signature] Date 8/14/89

MICROFILMED

WHEREAS, uncertainty has arisen as to the true location of the common boundary line between the properties owned by the parties of the first and second part aforesaid and the parties hereto desire to establish a new boundary line between said properties and have agreed to accept the boundary line established by Gerhold, Cross & Etzel, Registered Professional Land Surveyors, set forth in Exhibit "A" attached hereto and made a part hereof. The parties hereto have also agreed by this instrument to quit-claim their respective right, title and interest in and to such portions of their respective properties as lie beyond the boundary line hereby established.

WITNESSETH, in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration and for the mutual benefits to be derived by the execution hereof, (the actual consideration paid in connection with this conveyance being \$0.00), the said parties of the first and second part do hereby agree as follows:

No. (I): The parties of the first and second parts, their respective heirs, personal representatives, successors and assigns, agree that the boundary line between their respective properties is located as set forth in Exhibit "A" attached hereto and made a part hereof; said boundary line being also shown on the Plat entitled, "Plat Showing Lines Of Agreement Between Leonard H. Hutschenreuter & Wife and Castlewood Realty Company, Inc." attached hereto and made a part hereof as Exhibit "B".

No. (II): The parties of the first part grant, release, and forever quit-claim to the party of the second part its successors and assigns, all of their right, title and interest in and to such portions of their property as lie on the south and southwest side of the boundary line hereby established and described in Exhibit "A" attached hereto and made a part hereof.

No. (III): The party of the second part does grant, release, and forever quit-claim to the parties of the first part, as tenants by the entireties, their personal representatives and assigns, the survivor of them and the survivor's personal representatives and assigns, all of its right, title, and interest in and to such portions of its property as lie on the north and northeast side of the boundary line hereby established and described in Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD all of the said property described in Paragraph No. (II), and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said CASTLEWOOD REALTY COMPANY, INC., a Maryland corporation, its successors and assigns in fee simple.

TO HAVE AND TO HOLD all of the said property described in Paragraph No. (III), and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of LEONARD H. HUTSCHENREUTER and MILDRED L. HUTSCHENREUTER, his

wife, as tenants by the entirety, their personal representatives and assigns, the survivor of them and the survivor's personal representatives and assigns, in fee simple.

The party of the third part, holder of a Mortgage made by the parties of the first part to the party of the third part dated March 6, 1986 and recorded among the Land Records of Baltimore County in Liber E.H.K. ,Jr. No. 7108, folio 770 joins herein to assent to the terms and provisions of this Deed and Boundary Line Agreement and to release the lien of its Mortgage as to the property described in Paragraph No. (II) aforesaid.

The parties of the fourth part, holder of a Mortgage made by the parties of the second part to the parties of the fourth part dated March 20, 1970 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5079 folio 642 and as confirmed by a Confirmatory Mortgage dated January 7, 1972 and recorded as aforesaid in Liber E.H.K.Jr. No. 5316 folio 960, join herein to assent to the terms and provisions of this Deed and Boundary Line Agreement and to release the lien of their Mortgage as to the property described in Paragraph NO. (III) aforesaid.

AS WITNESS the hands and seals of the parties hereto.

WITNESS:

Michele H. Conner
Michele H. Conner

Leonard H. Hutschenreuter (SEAL)
LEONARD H. HUTSCHENREUTER

Michele H. Conner
Michele H. Conner

Mildred L. Hutschenreuter (SEAL)
MILDRED L. HUTSCHENREUTER

CASTLEWOOD REALTY COMPANY, INC.

Debra A. Myers

By: Walter L. McManus, Jr. (SEAL)
WALTER L. McMANUS, JR.
President

OBRECHT FAMILY LIMITED PARTNERSHIP

Debra A. Myers
Debra A. Myers

By: Charles F. Obrecht (SEAL)
CHARLES F. OBRECHT,
General Partner

Michele H. Conner
Michele H. Conner

Fred A. Hutschenreuter (SEAL)
FRED A. HUTSCHENREUTER

Michele H. Conner
Michele H. Conner

Emma E. Hutschenreuter (SEAL)
EMMA E. HUTSCHENREUTER

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 2nd day of ^{June}~~May~~, 1989,
before me, a Notary Public in and for the State aforesaid,
personally appeared Leonard H. Hutschenreuter and Mildred L.
Hutschenreuter, his wife, known to me (or satisfactorily proven)
to be the persons whose names are subscribed to the within
instrument, and acknowledged that they executed the same for the
purposes therein contained.

AS WITNESS my hand and notarial seal.

J. Kerr Anderson
Notary Public J. Kerr Anderson

Commission Expires: July 1, 1990.

Notarial Seal
J. Kerr Anderson, Notary Public
Lower Chancelord Twp., York County
My Commission Expires April 28, 1991

Member, Pennsylvania Association of Notaries

LIBER 8248 PAGE 572

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 5th day of ~~May~~^{July}, 1989,
before me, a Notary Public in and for the State aforesaid,
personally appeared Walter L. McManus, Jr., known to me (or
satisfactorily proven) to be the President of Castlewood Realty
Company, Inc., a Maryland corporation, and that he, as such
President being authorized so to do, executed the foregoing
instrument for the purposes therein contained, by signing the
name of the corporation by himself as President.

AS WITNESS my hand and notarial seal.

Eleanor K. Gest
Notary Public

Eleanor K. Gest

My Commission Expires: July 1, 1990.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 25 day of ~~May~~^{July}, 1989,
before me, a Notary Public in and for the State aforesaid,
personally appeared Charles F. Obrecht, known to me (or
satisfactorily proven) to be the General Partner of Obrecht
Family Limited Partnership, and he acknowledged that he executed
the foregoing instrument for the purposes therein contained on
behalf of the said limited partnership.

AS WITNESS my hand and notarial seal.

Cheryl Farber Hoffman
Notary Public

Cheryl Farber Hoffman

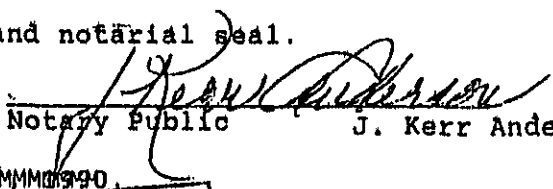
My Commission Expires: July 1, 1990.

LIBER 8 2 4 9 PAGE 5 7 3

~~STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:~~

I HEREBY CERTIFY that on this 2nd day of ~~MAY~~^{JUNE}, 1989,
before me, a Notary Public in and for the State aforesaid,
personally appeared Fred A. Hutschenreuter and Emma E.
Hutschenreuter, his wife, known to me (or satisfactorily proven)
to be the persons whose names are subscribed to the within
instrument, and acknowledged that they executed the same for the
purposes therein contained.

AS WITNESS my hand and notarial seal.


Notary Public

J. Kerr Anderson

My Commission Expires: M M M M M M M M M M 1990.

DEED0025.JPR

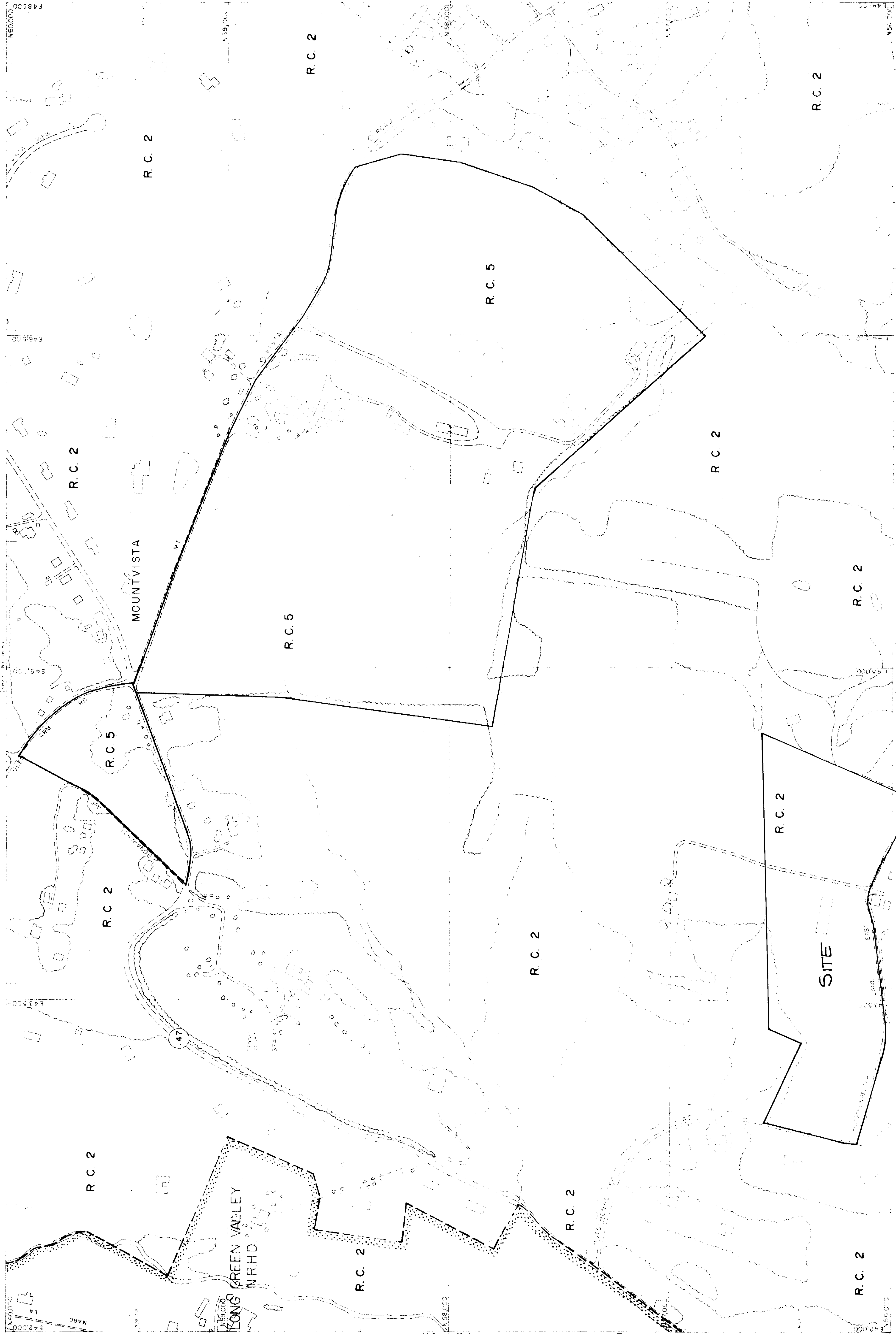
Notarial Seal
J. Kerr Anderson, Notary Public
Lower Chancetown Twp., York County
My Commission Expires April 26, 1991
Member, Pennsylvania Association of Notaries

EXHIBIT "A"

Beginning for the same at an iron bar heretofore set at the end of the twelfth or South 84 degrees 32 minutes East 1331.75 foot line of a parcel of land firstly described in a deed dated March 6, 1986 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 7108, folio 765 which was conveyed by Obrecht Family Limited Partnership to Leonard H. Hutschenreuter and Mildred L. Hutschenreuter, his wife, said iron bar also being the beginning of a parcel of land which by a deed dated January 7, 1972 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5316, folio 956 was conveyed by Walter L. McManus, Jr., et al to Castlewood Realty Company, Inc. and running thence from said iron bar for a line of agreement between the parcels of land mentioned herein North 84 degrees 46 minutes 44 seconds West, with the courses in this description being referred to the meridian of the firstly described parcel of land in the deed from Obrecht Family Limited Partnership to Hutschenreuter, 1334.33 feet to a pipe now set, said pipe being distant South 29 degrees 41 minutes West 6.275 feet from a pipe heretofore set at the beginning of the herein mentioned twelfth line of the said parcel of land which was conveyed to Hutschenreuter, thence continuing to run for a line of agreement South 29 degrees 41 minutes West, binding reversely on a part of the eleventh line of the herein mentioned parcel of land which was conveyed to Hutschenreuter, 6.275 feet to a pipe heretofore set at the beginning of the seventeenth line of said parcel of land which was conveyed by McManus to Castlewood Realty, said pipe also being at the beginning of a parcel of land secondly described in a deed dated March 20, 1970 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5079, folio 636 which was conveyed by Fred A. Hutschenreuter and wife to Castlewood Realty Company, Inc., thence binding reversely on the last and tenth lines of said last mentioned parcel of land and continuing to run for lines of agreement, the two following courses and distances viz: North 86 degrees 33 minutes 39 seconds West 93.58 feet to a pipe now set and North 38 degrees 40 minutes 40 seconds West 187.05 feet to a pipe heretofore set at the beginning of said tenth line and at the end of the eighth or South 36 degrees 48 minutes East 208.33 foot line of the herein mentioned firstly described parcel of land in the deed from Obrecht Family Limited Partnership to Leonard H. Hutschenreuter and wife, thence binding reversely on said eighth line and continuing to run for a line of agreement, North 36 degrees 48 minutes West 208.33 feet to a pipe heretofore set on the West bank of a stream, thence continuing to run for a line of agreement, North 9 degrees 20 minutes West 93.72 feet to a pipe set South 48 degrees 15 minutes West 9.27 feet from another pipe heretofore set at the beginning of the seventh line of the said firstly described parcel of land, said pipe also being distant North 48 degrees 15 minutes East 9.27 feet from a pipe heretofore set at the end of the seventh or South 27 degrees

52 minutes 50 seconds East 95.08 foot line of the herein mentioned secondly described parcel of land in the deed from Hutschenreuter to Castlewood Realty and thence continuing to run for a line of agreement, North 29 degrees 02 minutes 15 seconds West 157.94 feet to a point in the bed of Hutschenreuter Road and to intersect the second or South 27 degrees 52 minutes 50 seconds East 135.92 foot line of a parcel of land which by a deed dated November 27, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 7052, folio 706 was conveyed by Nellie E. Airey to Stanley Stark.

95-258-SPH



Q - NW Q - NE
UU - SW UU - SE

SA

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
300 E. North Ave.
Suite 100
TOWSON, MD 21286

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

3rd Nos. 83-92, 84-92, 85-92, 86-92, 87-92, 88-92, 89-92

DATE OF PHOTOGRAPHY
JANUARY 1986

SCALE
1" = 200'

LOCATION
MOUNTVISTA

SHEET
N F
15

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

William A. Howard
Chairman, County Council

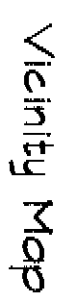
丁巳仲夏

JAN 7, 1972

March 20, 1970

100

July 25, 1989


$$T_H = 2000,$$

PARCEL B
0.940 AC. ±

THE CONSOLIDATED INVESTMENT COMPANY, INC.
PROPERTY OF L.S. BOWMAN

SHAW-WATZ RD.

LOT 3

City of Los Angeles

LO 1
2.415 Ac.±

PARCEL A
11.870 Ac.±

LOT 2
4.467 Ac.±

ROAD (or LANE)
(PRIVATE ROAD)

PLAT TO ACCOMPANY
SPECIAL HEARING
CASTLEWOOD REALTY
COMPANY, INC.

HUTSCHENREUTER ROAD
Deed Ref: E.H.K.J.R. No. 5316 folio 456
Tax Account No. 16-00-001213
Zoned R.C.-2
Tax Map 54 Grid 21 Parcel 309
11th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

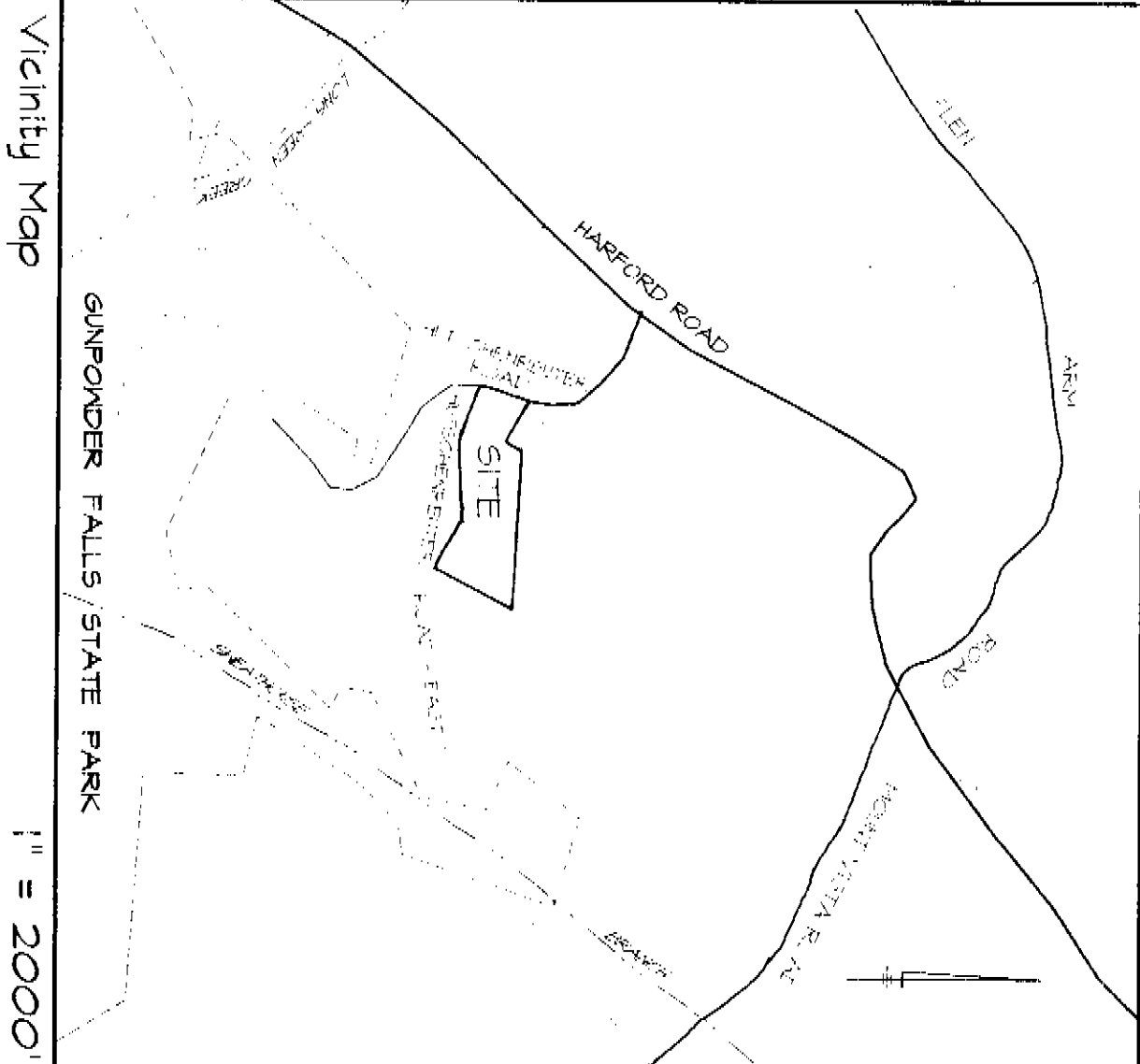
THERE HAVE BEEN NO PREVIOUS ZONING CASES PERTAINING TO THIS PROPERTY

Scale: 1" = 100'
January 23, 1995

GERHOLD, CROSS & EITZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Townsend Boulevard
Tombson, Maryland 21286
(410) 823-4470

MICROFILMED

95-258-SPH



Vicinity Map

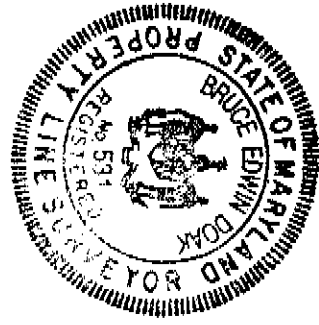
1" = 2000'

PLAT TO ACCOMPANY
SPECIAL HEARING
**CASTLEMOOD REALTY
COMPANY, INC.**
HUTSCHENREUTER ROAD
Deed Ref: E.H.K.JR. No. 5316 Folio 456
Tax Account No. 16-00-001213
Zoned R.C.-2
Tax Map 54 Grid 21 Parcel 309
11th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

SA

ROAD (or LANE)
(PRIVATE ROAD)

EAST



WILSON & SONS, INC.

Scale: 1" = 100'

January 28, 1995

GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Towson Avenue
Towson, Maryland 21286
(410) 839-4470

THERE HAVE BEEN NO PREVIOUS ZONING
CASES PERTAINING TO THIS PROPERTY

HUTSCHENREUTER ROAD

HUTSCHENREUTER ROAD

LOT 1
2.415 AC.±

PARCEL A
11.870 AC.±

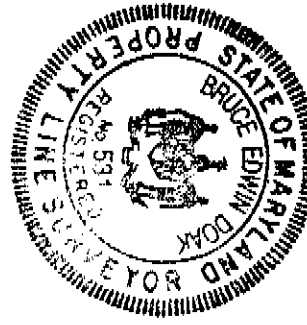
LOT 2
4.461 AC.±

PARCEL B
0.940 AC.±

POINT OF BEGINNING
ZONING DESCRIPTION

ROAD (or LANE)
(PRIVATE ROAD)

EAST



WILSON & SONS, INC.

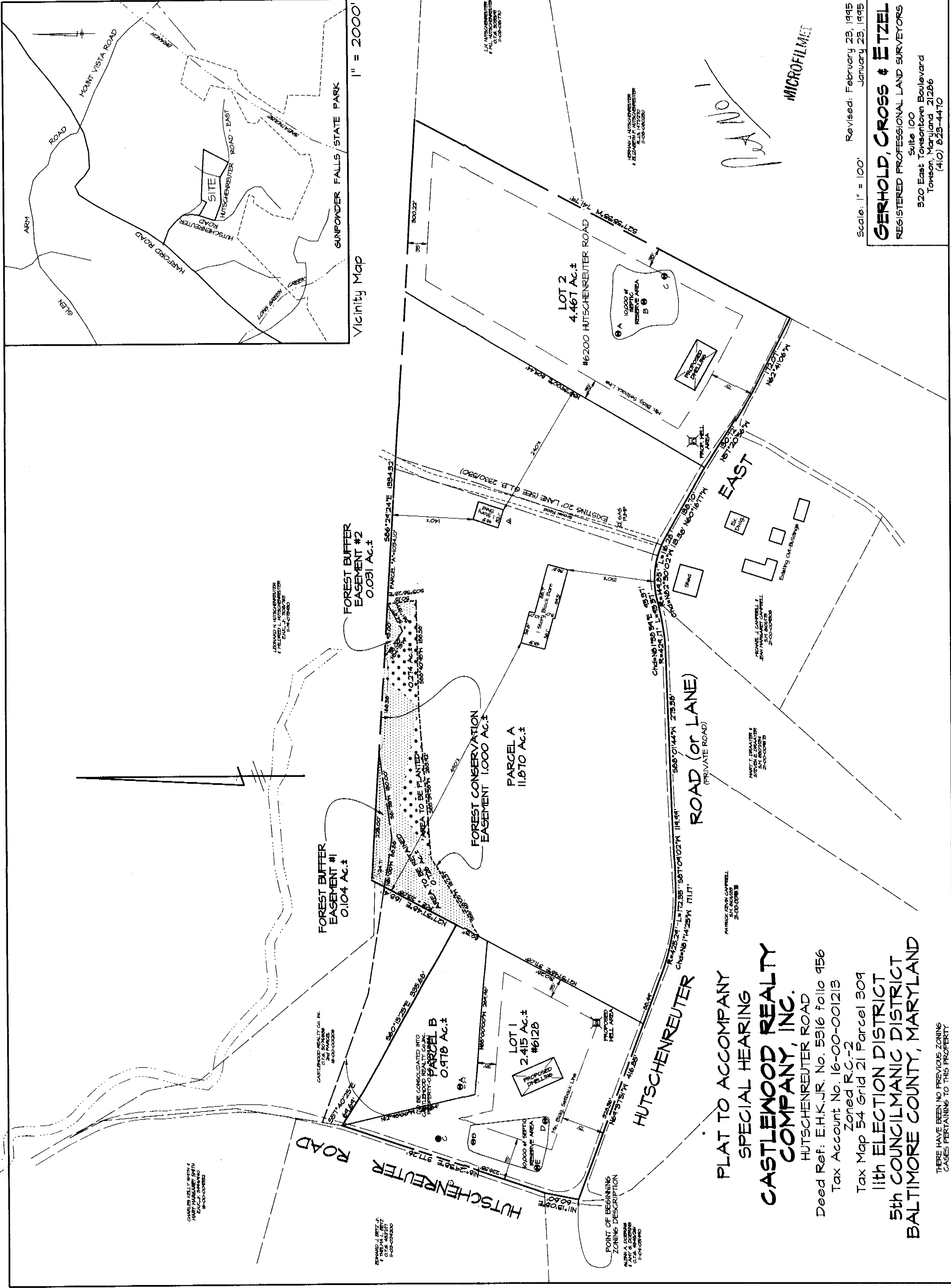
Scale: 1" = 100'

January 28, 1995

GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Towson Avenue
Towson, Maryland 21286
(410) 839-4470

THERE HAVE BEEN NO PREVIOUS ZONING
CASES PERTAINING TO THIS PROPERTY



IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
N/S Hutchenreuter Lane, 330' * ZONING COMMISSIONER
1/2 E of c/l Hutchenreuter Rd *
11th Election District * OF BALTIMORE COUNTY
5th Councilmanic District *
Castlewood Realty Co., Inc. *
Petitioner * CASE NO. 95-258-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located on the east side of Hutchenreuter Road, 1750 ft. (+/-) east of Harford Road near the Gunpowder Falls State Park in northeast Baltimore County. The Petition is filed by Castlewood Realty Company, Inc., property owner. Special Hearing relief is requested to approve a non-density transfer of an 11.87 acre parcel. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was Walter L. McManus, a principal of Castlewood Realty Co., Inc. property owner/Petitioner. Also present was Bruce Doak, the licensed property line surveyor who prepared the site plan. The Petitioner was represented by Deborah Dopkin, Esquire. Numerous residents from the surrounding locale appeared in support.

The uncontradicted testimony and evidence presented was that the subject parcel of 11.87 acres is part of a larger tract which is approximately 19.66 acres in area. The entire site is zoned R.C.2. The large tract is unimproved but for one story block barn and one story shed located near the center of the parcel. The tract is used primarily for agricultural purposes. Additional testimony and evidence offered was that the Petitioner acquired the property in 1970. The property has not been materially changed or altered since that time, other than a minor property line adjustment

which clarifies the location of the property line separating the subject property and property to the north owned by Leonard and Mildred Hutchenreuter.

As to the Petitioner's plans, it is anticipated that the subject property will be subdivided so as to create two building lots. Lot No. 1 is shown on the west side of the property and will be 2.415 acres in area. A proposed dwelling will be located thereon as is shown on the site plan. Lot No. 2 is on the east side and will be 4.467 acres in size. Again, a proposed single family dwelling is shown on the site plan. The area between these two lots will be left vacant. That area is shown on the plan as parcel A and is 11.87 acres in area. It is within that portion of the overall tract where the barn and shed are located. The Petitioner acknowledged that following the subdivision, Parcel A will have no density attributable to it. That is, the R.C.2 zoning classification allows two dwelling units to be established on any lot between two and fifty acres in size. The creation of lots 1 and 2, as described hereinbefore, exhausts all density attributable to the overall tract. The Petitioner, however, explained that it wished to keep the residential lots smaller and preserve parcel A to be utilized for agricultural purposes. This is clearly consistent with the spirit and intent of the R.C.2 zoning classification and goals of the Baltimore County Zoning Regulations (BCZR) in this respect. It is clear, therefore, that the subdivision of the subject tract so as to create two building lots and parcel A is appropriate.

It is also to be noted that the Petitioner owns an adjoining property as shown on the site plan and located immediately to the northwest of the subject tract. This adjacent tract is 1.93 acres in area and was acquired by the Petitioner in 1970. As is the case with the larger 19 acre parcel, the property is zoned R.C.2 and thus governed by Article 1A of the BCZR

-2-

which regulates R.C. zoned lands. The R.C. zoning designation was established in Baltimore County by act of the County Council effective on November 23, 1979. Lots of record which were in being at that time may be subdivided and utilized in accordance with the regulations as applied to their acreage at that time.

It is to be noted that from the larger 19.66 acre tract, the Petitioner also proposes transferring a small parcel (known as Parcel B) of .990 acres. This tract will be transferred to and consolidated with the 1.93 acre parcel. It is significant to note that the .990 acres to be transferred will not carry with it any density. It cannot be utilized now or in the future to support additional density on the 1.93 acre tract. It is clear that only two dwelling units may be established on the overall tract of 19.66 acres and, in fact, full utilization of those two dwelling units is accomplished by the creation of lots No. 1 and 2. Thus, neither parcel A nor parcel B may be utilized now, or at any time in the future, to support additional density on those parcels, themselves, or on any parcels with which they are consolidated.

Lastly, the Petitioner observed at the public hearing that vehicular access to lot No. 2 will be by a panhandle drive known as Hutchenreuter Road/Lane. This road extends from its intersection with Harford Road towards the site. It is utilized by right by the various property owners who are adjacent thereto.

Panhandle driveways are limited by Section 26-266 of the Baltimore County Code to a length of 1,000 ft. in an R.C. zone. However, the County Review Group may waive that limit if a longer length is justified. The County Review Group was the predecessor reviewing agency to the present development process. Under the present regulations, the Zoning Commissioner, sitting as a Hearing Officer, has assumed many of the responsibilities

-3-

of the CRG group. In my view, I, therefore, have the authority to waive the 1,000 ft. length limitation and will do so in this case. It is to be noted that Hutchenreuter Road/Lane may, in fact, not be a panhandle driveway as defined by the Code. The proffered testimony from the adjacent residents is that the road is maintained by Baltimore County and not a private road. Thus, the relief requested may not even be necessary. However assuming arguendo, that the lane is considered a panhandle road, a waiver of a 1,000 ft. limitation is appropriate and is hereby granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 3rd day of March, 1995 that, pursuant to the Petition for Special Hearing, approval for a non-density transfer of 11.87 acres (+/-), as fully described and limited herein, be and is hereby GRANTED, subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Prior to the issuance of any permits, the Petitioner shall record a copy of this Order in the Land Records of Baltimore County. A copy of the recorded Order shall be submitted to the Zoning Commissioner's office for inclusion in the case file.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmm

-4-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 2, 1995

Deborah C. Dopkin, Esquire
Rosolio, Silverman and Kots, P.A.
502 Washington Avenue
Towson, Maryland 21204

RE: Case No. 95-258-SPH
Petition for Special Hearing
Castlewood Realty Co., Inc.

Dear Mrs. Dopkin:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

encl.
cc: Mr. Walter L. McManus



Petition for Special Hearing
to the Zoning Commissioner of Baltimore County
for the property located at 1750' +/- east of Harford Road
which is presently zoned RC 2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property shown in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A "Non-Density Transfer" of 11.87 acre, more or less

Property is to be posted and advertised as prescribed by Zoning Regulations. The undersigned, legal owner(s) of the property shown in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Contract Purchaser/Lessor:
(Type or Print Name)
Signature
Address
City State Zipcode

Legal Owner(s):
Castlewood Realty Co. Inc.
(Type or Print Name)
Signature
Walter L. McManus
(Type or Print Name)
Signature

Attorney for Petitioner:
(Type or Print Name)
Signature
Deborah C. Dopkin
(Type or Print Name)
Signature

502 Washington Ave. 3397100
TOWSON MD 21204

204 E Jones Road 825-7727
Towson, MD 21204
City, Address and phone number of representative to be contacted

Name
Address
City, Address and phone number of representative to be contacted

ESTIMATED LENGTH OF HEARING
the following date: Next Two Months

ALL OTHER
REVIEWED BY: Date 1/25/95

261

GORDON T. LANDON
GORDON T. LANDON
EDWARD F. DEMCOLO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21206-5218
410-823-4470
FAX 410-823-4473

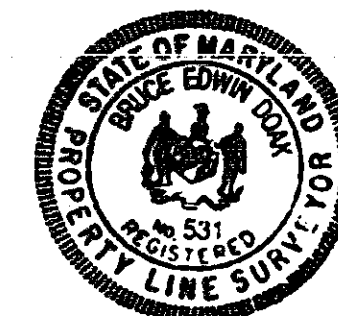
ERBERTUS
PAUL G. DOLLEBERGER
FRED W. HOLLEBERGER
CARL L. GERHOLD
PHILIP A. CROSS
JOHN F. ETZEL
WILLIAM G. LURICH

January 24, 1995

ZONING DESCRIPTION

Beginning for the same at the intersection of the centerlines of Hutchenreuter Road and Hutchenreuter Road-East (also known as Hutchenreuter Lane-East) thence binding in or near the center of Hutchenreuter Road, North 11 degrees 13 minutes 08 seconds East 60.60 feet and North 18 degrees 29 minutes 38 seconds East 377.26 feet, thence leaving said road South 59 degrees 48 minutes 46 seconds East 405.31 feet, North 27 degrees 57 minutes 48 seconds East 168.48 feet, South 86 degrees 29 minutes 24 seconds East 1334.32 feet and South 27 degrees 55 minutes 35 seconds West 741.79 feet to the center of Hutchenreuter Road-East, thence binding in or near the center of said last mentioned road, North 62 degrees 41 minutes 06 seconds West 172.07 feet, North 57 degrees 20 minutes 56 seconds West 130.72 feet, North 60 degrees 16 minutes 17 seconds West 138.70 feet, by a curve to the left having a radius of 149.85 feet for an arc length of 116.28 feet (the chord of said arc bearing North 82 degrees 30 minutes 02 seconds West 113.38 feet), by a curve to the right having a radius of 429.17 feet for an arc distance of 95.57 feet (the chord of said arc bearing South 81 degrees 38 minutes 59 seconds West 95.37 feet), South 88 degrees 01 minutes 44 seconds West 275.38 feet, South 87 degrees 09 minutes 02 seconds West 119.99 feet, by a curve to the right having a radius of 425.29 feet for an arc distance of 172.35 feet (the chord of said arc bearing North 81 degrees 14 minutes 25 seconds West 171.17 feet) and North 69 degrees 37 minutes 51 seconds West 416.85 feet to the point of beginning.

Containing 19.742 acres of land, more or less.



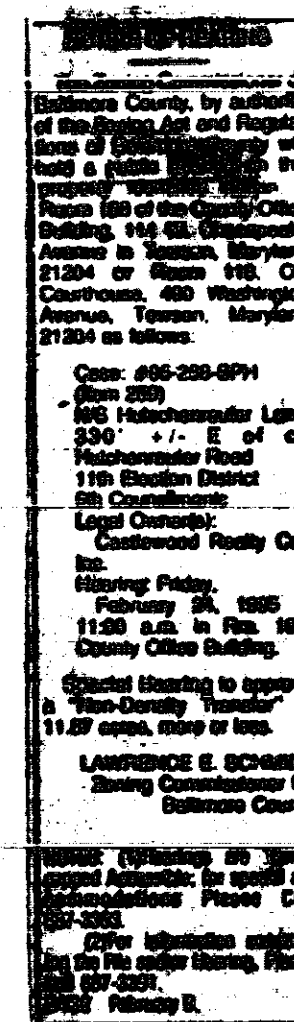
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 2/14/95
Posted for: Daniel Haines
Petitioner: Castlewood Realty Co. Inc.
Location of property: 1750' +/- East of Harford Road
Location of Signs: Facing Roadway, on Property, facing Roadway
Remarks: 11.87 Acre Non-Density Transfer
Posted by: [Signature] Date of return: 2/14/95
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/10, 1995
THIS IS TO CERTIFY, that the annexed advertisement was published to THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/9, 1995.

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. TOWSON



259

receipt
95-258-SPH

Account: R 001-6150
Number: JCM

Date: 2-25-95

35.00

25.00

03AUS#H02JUN10H0
01/30/244#P001-25-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 259
Petitioner: Castlewood Realty Co., Inc.
Location: 204 E. Joppa Rd. Towson, Md. 21206

PLEASE FORWARD ADVERTISING BILL TO:
NAME: B. DEBORAH DOPKIN, Esq.
ADDRESS: 502 Washington Avenue
Towson, Md. 21204
PHONE NUMBER: 338-7100

AJ:ggg (Revised 04/09/93)

TO: POTTERY PUBLISHING COMPANY
February 9, 1995 Issue - Jeffersonian

Please forward billing to:
Deborah C. Dopkin, Esq.
502 Washington Avenue
Towson, MD 21204
338-7100

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-258-SPH (Item 259)
N/S Hutchesonwreter Lane, 330' +/- E of c/l Hutchesonwreter Road
11th Election District - 5th Councilmanic
Legal Owner(s): Castlewood Realty Co., Inc.
HEARING: FRIDAY, FEBRUARY 24, 1995 at 11:00 a.m. in Room 106, County Office Building.

Special Hearing to approve a "Non-Density Transfer" of 11.87 acres, more or less.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

FEBRUARY 2, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-258-SPH (Item 259)
N/S Hutchesonwreter Lane, 330' +/- E of c/l Hutchesonwreter Road
11th Election District - 5th Councilmanic
Legal Owner(s): Castlewood Realty Co., Inc.
HEARING: FRIDAY, FEBRUARY 24, 1995 at 11:00 a.m. in Room 106, County Office Building.

Special Hearing to approve a "Non-Density Transfer" of 11.87 acres, more or less.

Arnold Jablon
Arnold Jablon
Director

cc: Castlewood Realty Co., Inc.
Deborah C. Dopkin, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soy-based Ink on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

February 17, 1995

Deborah C. Dopkin, Esquire
502 Washington Avenue
Towson, Maryland 21204

RE: Item No.: 259
Case No.: 95-258-SPH
Petitioner: Walter L. McManus

Dear Ms. Dopkin:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on January 25, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for February 13, 1995
Item No. 259

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the Department of Public Works Standard Plate R-46. Panhandle Driveways - Rural Zoning.

RWB:sw

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: February 2, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 245, 246, 256, 258, 259, and 260

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*
Division Chief: *Carol Seaman*

PK/JL:lw

SHA Maryland Department of Transportation
State Highway Administration

O James Lighthizer
Secretary
Hil Kassoff
Administrator

2-7-95

Ms. Joyce Watson
Zoning Administration and Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 259 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2256 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 02/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF FEB. 6, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 246, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261 AND 263.

RECEIVED
FEB 8 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

EXHIBIT "B"

LIBER 249 PAGE 576

1/21/95

2004

21204

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson JLP/lms
Development Coordinator, DEPRM

SUBJECT: Zoning Item #259 - Castlewood Realty
East Side of Hutschenreuter Road
Zoning Advisory Committee Meeting of February 6, 1995

February 23, 1995

Agricultural Preservation Program

Okay, purpose is to connect non-density portion which is currently a fenced pasture with agricultural support buildings to a homestead.

Ground Water Management

Revised site plans must be submitted and a well must be drilled which meets the minimum yield of one gallon per minute prior to approval of a building permit.

JLP:sp
CASTLEW/DEPRM/TXTSBP

95-258 SPW

RECEIVED
FEB 24 1995
ZADM

LIBER 5079 PAGE 636

THE TITLE GUARANTEE COMPANY
(Individual Form)
App. II-69638

This Deed, Made this 20th day of March, in the year one thousand nine hundred and seventy, by and between FRED A. HUTSCHENREUTER and EMMA E. HUTSCHENREUTER, his wife, parties of the first part, Grantors; and CASTLEWOOD REALTY COMPANY, INC., a body corporate of the State of Maryland, party of the second part, Grantee.

Witnesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto the said Grantee, its successors and assigns, in fee simple, all those

lot(s) of ground situate in the Eleventh Election District of Baltimore County, in the State of Maryland, and described as follows, that is to say:

BEGINNING FOR THE first at an iron bar heretofore set at a common corner between the land of the herein named grantors and the land of Herman J. Hutschenreuter, said iron bar being at the end of the 2nd or South 30°-00' West 1,594.8 foot line of the whole tract of land which by a deed dated 18 July 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1477 folio 271, was conveyed by Loretta McNicholas, widow, to Fred A. Hutschenreuter and Emma E. Hutschenreuter, his wife, running thence leaving the land of said Herman J. Hutschenreuter and binding on the 3rd and part of the 4th lines respectively of the aforesaid deed, and binding on part of the northerly outlines of the land now or formerly of John Schneider, and binding on part of the northerly outline of the land of the State of Maryland, Department of Forests and Parks, the following courses and distances, as now surveyed, viz:

(1) North 55°-23'-48" West 492.21 feet to a point in or near the center of Hutschenreuter Road, and continuing this same direction,

(2) North 55°-23'-48" West 344.45 feet to an iron pipe heretofore set, and

(3) North 58°-44'-40" West 347.01 feet to an iron pipe heretofore set at the end of the 7th or South 40°-54'-43" West 171.26 foot line of that parcel of land which by a deed dated 9 February 1968 and recorded among the aforesaid Land Records in Liber O.T.G. 4848 folio 261 was conveyed by Fred A. Hutschenreuter and Emma E. Hutschenreuter, his wife, to Glenn A. Deering and Amy G. Deering, his wife, thence leaving the land of said State of Maryland, Department of Forests and Parks, and binding reversely on the

RE: PETITION FOR SPECIAL HEARING
N/S Hutschenreuter Lane, 330' +/- E of c/l
Hutschenreuter Road, 11th Election Dist.,
5th Councilmanic

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Castlewood Realty Co., Inc.
Petitioners

CASE NO. 95-258-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Denilio
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of February, 1995, a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esquire, 502 Washington Avenue, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

LIBER 5316 PAGE 956

THE TITLE GUARANTEE COMPANY
(Individual Form)
App. II-69638

TRANSFER TAX NOT REQUIRED
Walter R. Richardson
Director of Finance

This Deed, Made this 7th day of January, in the year one thousand nine hundred and seventy-two, by and between WALTER L. McMANUS, JR. and MICHAEL J. CAMPBELL, parties of the first part, Grantors; and CASTLEWOOD REALTY COMPANY, INC., a body corporate of the State of Maryland, party of the second part, Grantee.

Witnesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto the said Grantee, its successors and assigns, in fee simple, all

lot(s) of ground situate in the Eleventh Election District of Baltimore County, in the State of Maryland, and described as follows, that is to say:

BEGINNING FOR THE first at an iron bar heretofore set at a common corner between the land of the herein named grantors and the land of Herman J. Hutschenreuter, said iron bar being at the end of the 1st or West 1344 foot line of the whole tract of land which by a deed dated 18 July 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1477 folio 271, was conveyed by Loretta McNicholas, widow, to Fred A. Hutschenreuter and Emma E. Hutschenreuter, his wife, running thence and binding on part of the 2nd or South 30°-00' West 1,594.8 foot line of the aforesaid deed, and binding on part of the westerly outline of the aforesaid land of said Herman J. Hutschenreuter, as now surveyed,

(1) South 27°-52'-22" West 741.90 feet to a point in or near the center of an existing 16.5 foot wide right of way which leads from the aforesaid land of Herman J. Hutschenreuter to Hutschenreuter Road, thence leaving the land of said Fred A. Hutschenreuter and running with and binding on or near the center of said 16.5 foot wide right of way, and binding reversely on the northerly outlines of that tract of land intended to be conveyed by the herein named grantors to Walter McManus, Jr. the following courses and distances, as now surveyed, viz:

(2) North 62°-44'-30" West 172.08 feet,

(3) North 57°-24'-20" West 130.73 feet,

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
John Hutschenreuter	1133 Hutschenreuter Lane
Emma E. Hutschenreuter	1133 Hutschenreuter Lane
Donald H. Hutschenreuter	1133 Hutschenreuter Lane
Walter L. McManus, Jr.	1133 Hutschenreuter Lane
Michael J. Campbell	1133 Hutschenreuter Lane
John Hutschenreuter	1133 Hutschenreuter Lane
Emma E. Hutschenreuter	1133 Hutschenreuter Lane
Donald H. Hutschenreuter	1133 Hutschenreuter Lane
Walter L. McManus, Jr.	1133 Hutschenreuter Lane
Michael J. Campbell	1133 Hutschenreuter Lane

DEED AND BOUNDARY LINE AGREEMENT

THIS DEED AND BOUNDARY LINE AGREEMENT, made this 25 day of July, in the year Nineteen Hundred and Eighty-Nine, by and between LEONARD H. HUTSCHENREUTER and MILDRED L. HUTSCHENREUTER, his wife, of Baltimore County, State of Maryland, parties of the first part, and CASTLEWOOD REALTY COMPANY, INC., a Maryland corporation, party of the second part, OBRECHT FAMILY LIMITED PARTNERSHIP, a Maryland Limited Partnership, party of the third part and FRED A. HUTSCHENREUTER and EMMA E. HUTSCHENREUTER, his wife, parties of the fourth part.

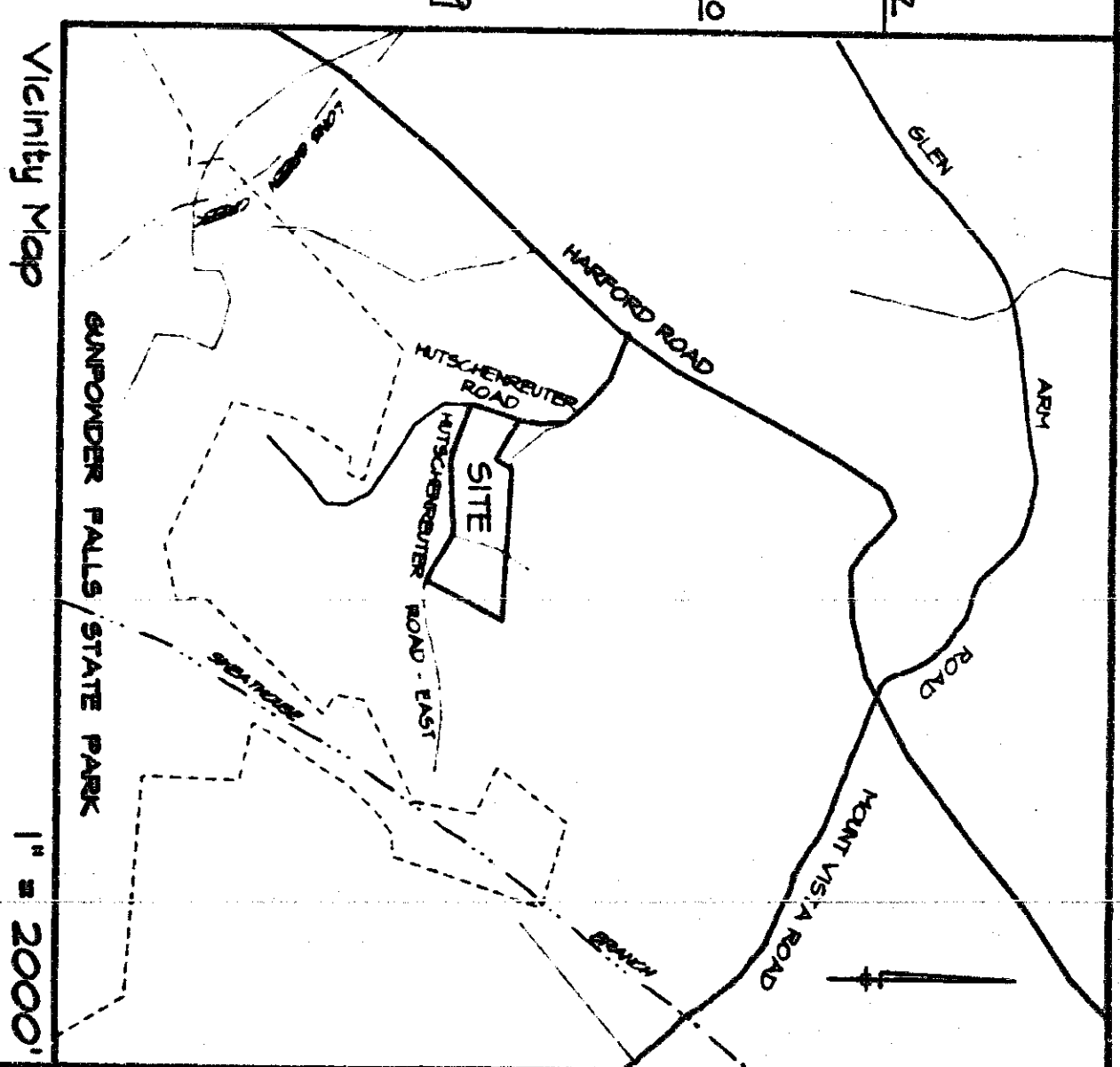
WHEREAS, the parties of the first and second part are the owners in fee simple of adjoining parcels of land located in the Eleventh Election District of Baltimore County and acquired by virtue of the following Deeds: (1) Deed dated March 6, 1986 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 7108, folio 765 from Obrecht Family Limited Partnership to the parties of the first part; (2) Confirmatory Deed dated December 9, 1988 and recorded among the Land Records of Baltimore County in Liber S.M. No. 8059, folio 257 from Obrecht Family Limited Partnership to the parties of the first part; (3) Deed dated March 20, 1970 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5079, folio 636 from Fred A. Hutschenreuter and Emma E. Hutschenreuter, his wife to the party of the second part; (4) Deed dated January 7, 1972 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5316, folio 956 from Walter L. McManus, Jr. and Michael J. Campbell to the party of the second part; and

RECEIVED FOR TRANSFER
State Department of Assessments & Taxation
for Baltimore County

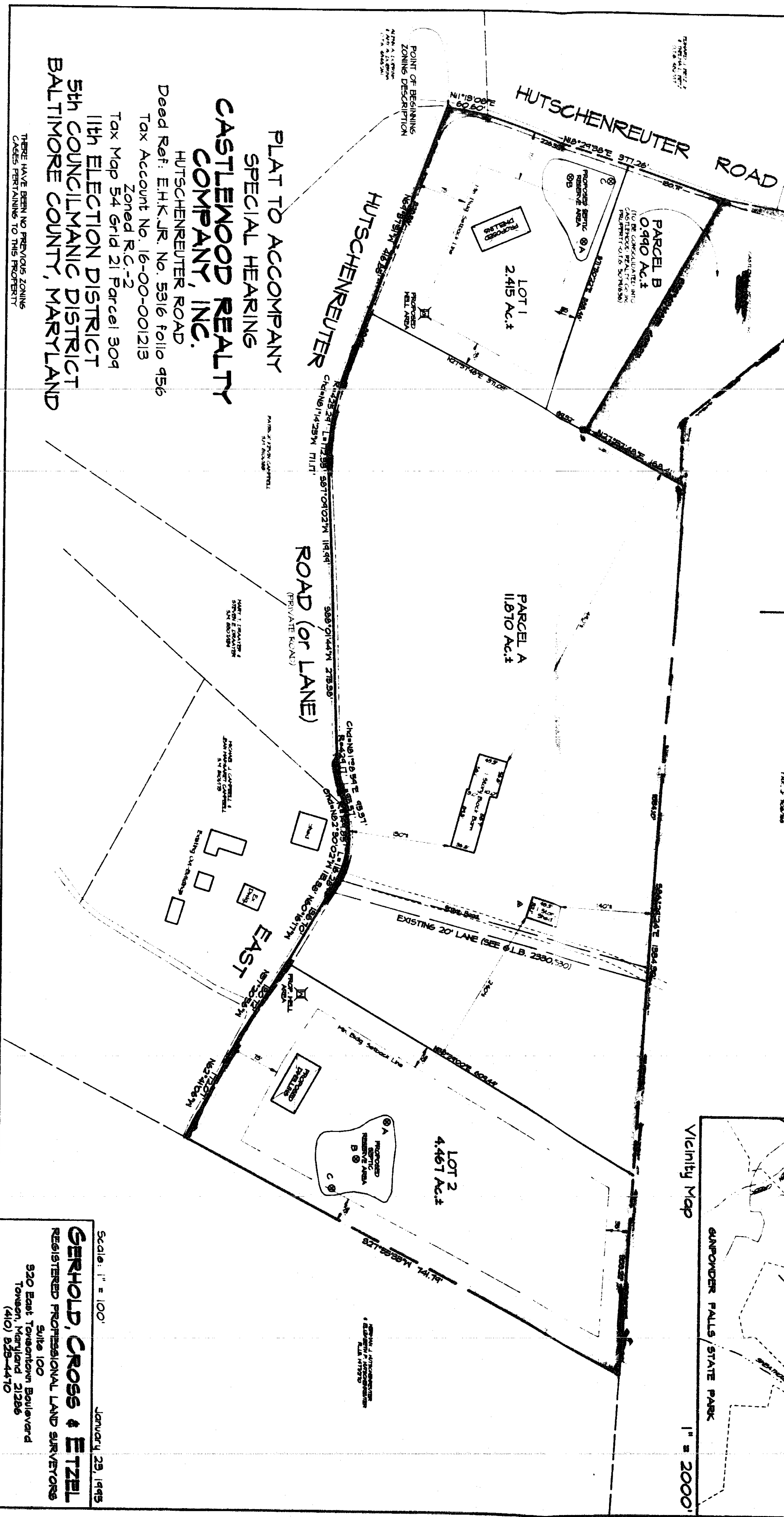
DEED - ~~5316-958~~ 5316-958 Jan 7, 1972

DEED ~~5079-636~~ 5079-636 March 29, 1970

DEED AND
CONVEYANCE AGREEMENT 8248-567 JULY 25, 1989



Vicinity Map 1" = 2000'



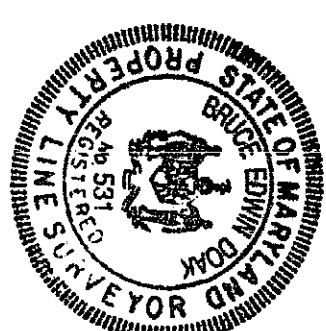
PLAT TO ACCOMPANY
SPECIAL HEARING
CASTLEWOOD REALTY
COMPANY, INC.
HUTSCHENREUTER ROAD
Deed Ref: E.H.K.J.R. No. 5316 folio 956
Tax Account No. 16-00-001213
Zoned R.C.-2
Tax Map 54 Grid 21 Parcel 304
11th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1" = 100'
January 23, 1995
GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
5100 East
320 East Towson Boulevard
Towson, Maryland 21286
(410) 828-4470

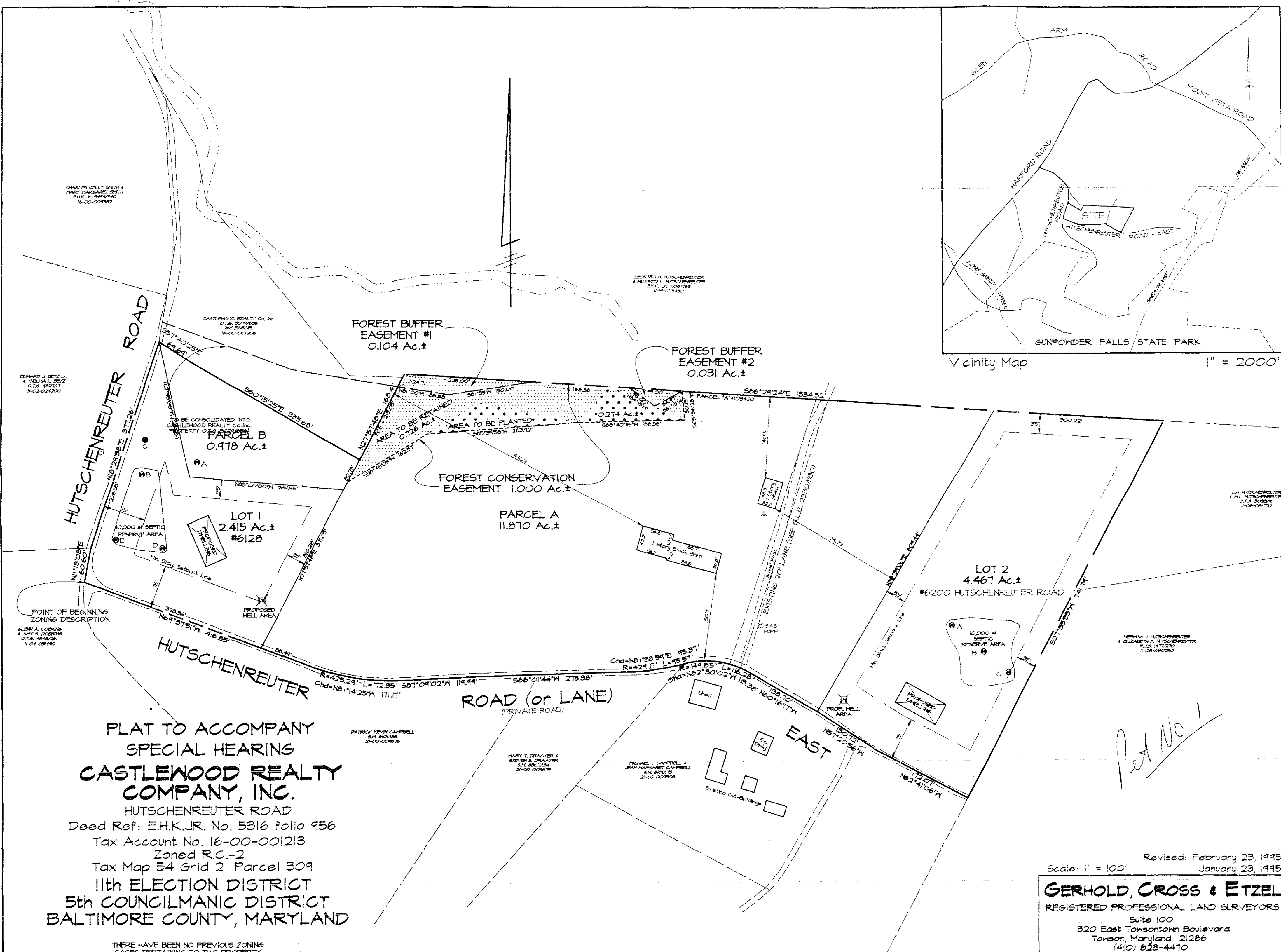
95-258-SPH



PLAT TO ACCOMPANY
SPECIAL HEARING
CASTLEWOOD REALTY
COMPANY, INC.
HUTSCHENREUTER ROAD
Deed Ref: E.H.K.J.R. No. 5316 folio 956
Tax Account No. 16-00-001213
Zoned R.C.-2
Tax Map 54 Grid 21 Parcel 304
11th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND



Scale: 1" = 100'
January 23, 1995
GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
5100 East
320 East Towson Boulevard
Towson, Maryland 21286
(410) 828-4470



Vicinity Map
1" = 2000'

PLAT TO ACCOMPANY
SPECIAL HEARING
CASTLEWOOD REALTY
COMPANY, INC.

HUTSCHENREUTER ROAD
Deed Ref: E.H.K.JR. No. 5316 Folio 956
Tax Account No. 16-00-001213
Zoned R.C.-2
Tax Map 54 Grid 21 Parcel 309
11th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

THERE HAVE BEEN NO PREVIOUS ZONING
CASES PERTAINING TO THIS PROPERTY

Revised: February 23, 1995
Scale: 1" = 100'
January 23, 1995
GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

95-258-SPH

